

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

MICHAEL F. SCHULZE,

Plaintiff,

V.

**FEDERAL BUREAU OF
INVESTIGATION, et al.,**

Defendants.

CV-F-05-00180 AWI-GSA

ORDER GRANTING PLAINTIFF'S APPLICATION TO RESPOND TO DEFENDANTS' MOTION

(Document #64)

On July 13, 2007 Defendants filed a Motion for Summary Judgement or, in the Alternative, Summary Adjudication. Pursuant to Plaintiff's request, on August 29, 2007, the court stayed this action until Plaintiff was transferred or by November 13, 2007, whichever came first. On October 10, 2007, Plaintiff filed an application for additional time to file a response to Defendant's Motion. Plaintiff states that he has now been transferred. However, Plaintiff claims that his legal documents have not arrived at his new facility. Plaintiff asks for a ninety-day extension of time to file a response to Defendant's Motion. On October 18, 2007, Defendants filed a statement of non-opposition to Plaintiff's request.

Accordingly, good cause having been presented to the court, the court ORDERS that:

1. The stay in this action is hereby LIFTED;
2. Plaintiff's opposition to Defendant's motion SHALL BE FILED by January 18, 2008;

- 1 3. Defendants' reply SHALL BE FILED by February 4, 2008; and
- 2 3. As of February 2, 2008, the court will take the pending Motion for Summary
- 3 Judgment under submission, and the court will thereafter enter a decision.
- 4

5 IT IS SO ORDERED.

6 **Dated:** October 19, 2007

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE